

REMARKS

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing amendments, claims 1-13 are pending in the application, with claims 1 and 6 being the independent claims. Support for the subject matter of the amended claims is contained in the application as originally filed.

Because the foregoing changes introduce no new matter, their entry is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Information Disclosure Statement

Submitted herewith is a Supplemental Information Disclosure Statement.

Rejections under 35 U.S.C. § 103(a)***Claims 1-5***

The Examiner has rejected claims 1-3 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's disclosure in view of International Pub. No. WO2001/020581 to Lock et al. ("Lock"). The Examiner has rejected dependent claims 4-5 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's disclosure in view of Lock and U.S. Patent No. 6,111,523 to Mee et al. ("Mee").

The Examiner agrees that Lock fails to disclose the claimed flashing red light and detecting during which part of the activation period a flashing red light is actually on. See *OFFICE ACTION* mailed December 21, 2009 ("Office Action"), at page 2, paragraph 1. However, the Examiner takes the position that Applicant's disclosure discloses a flashing red light and "detecting during which part of the activation period the flashing light red light is actually on (AAPA teaches where if a passage is detected during the period of the red light is

activated, this is a violation).” *See* Office Action, at pages 3-4 (emphasis removed from original). Applicant respectfully disagrees and submits that Applicant’s disclosure, alone or in combination with Lock, fails to disclose or suggest detecting during which part of the activation period a flashing red light is actually on as called for by claim 1.

As a preliminary matter, Applicant notes that the claimed “activation period” is not the same as the period during which the red light is “actually on.” During the activation period, a current is applied to the red light to activate it. Although the red light is activated and appears to drivers be continuously lit red, in reality, the flashing red light is actually pulsing on and off during the activation period. The on and off pulses, however, are not to be visible to the human eye (or a high speed camera) because the flashing is at a high frequency. Accordingly, the red light may be illuminated on and red light may be illuminated off during “activation.”

The Examiner appears to misinterpret paragraphs 0002 and 0003 of Applicant’s disclosure. Contrary to the Examiner’s position, the Applicant’s disclosure does not describe a prior method including “detecting during which part of the activation period the flashing red light is actually on.” Instead, Applicant’s disclosure describes only a method that detected the overall period during which energy was supplied to the red light. This was done by means of a current or voltage measurement in the traffic light. *See, e.g.*, Specification, paragraph 0002.

For conventional traffic lights such as described in Applicant’s disclosure having incandescent light bulbs, the detection of the activation period alone was sufficient because such light bulbs are always “on” or visible when they are activated by supplying a current or voltage. However, this is not true for modern traffic lights having LEDs because LEDs flicker at a frequency which is a function of the frequency of their AC power supply. In the illustrated embodiment, for example, the on/off frequency of the flashing red light is twice the frequency of the AC power supply. *See* paragraph 0015. In the case of a high frequency flashing red light, the Applicant’s disclosure system may detect a violation but there will be a danger that a record of the violation will not be made because the camera makes a record without regard for whether the light is flashing on or off.

In order to ensure that the red light will actually be visible in a recording of a vehicle running a “a red light [that] burns ... at a frequency that is not visible to the human eye when said red light is activated,” the claimed method includes an additional step, namely, “detecting during which part of the activation period the flashing red light is actually on.” Such an additional detecting step was not used, nor necessary, in the prior art method because in a conventional traffic light the red light bulb was not flashing but was continuously burning as long as a current was running or a voltage was present.

Should the Examiner maintain the rejection over Applicant’s disclosure, Applicant respectfully requests citation in Applicant’s disclosure of a teaching of the detecting of the period the red light is actually on in support of the Examiner’s position.

At least because the cited art fails to disclose the claimed detecting during which part the red light is on, the cited art fails to also disclose “transmitting information regarding the part of the activation period during which the red light is on to the red-light camera so that the at least one recording is made in precisely that part of the activation period” as called for by claim 1.

For at least these reasons, Applicant respectfully submits that Applicant’s disclosure in view of Lock does not render obvious independent claim 1. Applicant submits that claims 2-5, which depend from claim 1, are allowable over the cited art for at least the same reasons noted above.

Claims 6-13

The Examiner has rejected claim 6 under 35 U.S.C. § 103 as being unpatentable over Lock in combination with Mee. The Examiner has rejected dependent claims 7-13 under 35 U.S.C. § 103 as being unpatentable over Applicant’s disclosure in combination with Lock, Mee, and U.S. Patent No. 6,707,393 to Moore et al. (“Moore”).

Claim 6 is generally directed to a device for carrying out the method of claim 1. Applicant’s disclosure of a red light camera control device does not include a “red light detector for detecting during which part of the activation period the flashing red light is actually on” as

called for by claim 6. As discussed above, Applicant's disclosure relates a conventional activation detector for determining a period in "which the red light of the traffic light is activated." At least because Applicant's disclosure does not relate to determining when a flashing red light is on or off, Applicant's disclosure fails to disclose the claimed red light detector.

For at least these reasons, Applicant respectfully submits that claim 6 is allowable over the cited art. Applicant submits that claims 7-13, which depend from claim 6, are allowable over the cited art for at least the same reasons.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extension of time or additional claims, and/or credit any overpayment to Deposit Account No. 50-0310.


PATENT

Application No. 10/511,497
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Prompt and favorable consideration of this Amendment and Response is respectfully requested.

Respectfully submitted,

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